

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.60637 of 2017**

Arising Out of PS.Case No. -142 Year- 2017 Thana -KOTWA District-  
EASTCHAMPARAN(MOTIHARI)

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1. Shyam Sah, son of Dhruv Sah @ Dhruv Sah @ Dhruv Prasad Sah,  
resident of Village- Talwa Pokhar, P.S.- Kotwa, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu, Adv.  
Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      08-02-2018                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with  
Kotwa P.S. Case No.142 of 2017, a case under Sections 328/307  
of the Indian Penal Code. Subsequently, offence under Section  
302 of the Indian Penal Code was added.

The F.I.R. would reveal that the petitioner was  
lover of the informant. The informant had traveled at different  
places along with the petitioner in between 16.07.2017 to  
26.07.2017. On 26.07.2017 she found herself at the canal near  
her village. The villager Sonelal Prasad informed the villagers and  
thereafter she was carried to hospital where treatment was going



on. One sentence is intruded in the F.I.R. alleging that the petitioner had administered poison to her while leaving near that place. Subsequently, the informant died.

Submission is that the cause of death is still waiting. There is no other material to substantiate why the petitioner administered poison to the informant.

Considering the aforesaid circumstances, in my view, the petitioner deserves bail. Therefore, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

**(Birendra Kumar, J)**

Mkr./-

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